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UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 12830

JOSEPH S. GRIMES, APPELLANT,

v.

MARYLAND STATE FAIR, INC., APPELLEE.

Appeal from the United States District Court for the District of Columbia

Decided March 1, 1956

Mr. I. William Stempil for appellant.

Mr. Randolph C. Richardson, with whom *Messrs. Charles E. Pledger, Jr.*, and *Justin L. Edgerton* were on the brief, for appellee.

Before EDGERTON, Chief Judge, and WASHINGTON and DANAHER, Circuit Judges.

PER CURIAM: Plaintiff-appellant brought suit in the District Court for personal injuries sustained on defendant corporation's premises in Laurel, Maryland. Process was served in the District of Columbia on a director of the corporation whose residence is here. Defendant's motion to quash service was granted by the District Court. This appeal followed.

On the basis of the record made at the hearing, the action of the District Court was clearly correct. Plaintiff made no sufficient showing that the defendant, a foreign corporation, was doing business here, or that the director was its agent, under Title 13, Section 103 of the D. C. Code (1951), even if all the allegations of fact made by plaintiff are assumed to be true.

Affirmed.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Civil Action

File No. 1574-55

JOSEPH S. GRIMES, *Plaintiff*,

v.

MARYLAND STATE FAIR, INCORPORATED, *Defendant*.

Affidavit of Frank J. Brady in Support of Motion of Defendant to Quash Service of Process

STATE OF MARYLAND)
COUNTY OF PRINCE GEORGES) ss:

I, Frank J. Brady, being first duly sworn on oath depose and say that I am Treasurer of Maryland State Fair, Inc., named as defendant in the above entitled cause; that Maryland State Fair, Inc. is a corporation organized and existing under and by virtue of the laws of the State of Maryland; that the principal offices of said corporation are at Laurel, Maryland, the post office address being Box 30; that said corporation maintains an office at No. 2 Commerce Street, Baltimore, Maryland; that said corporation does not have an office or place of business in the District of Columbia; that said corporation does not do any business in the District of Columbia; that said corporation does not bank or have banking facilities in the District of Columbia; that the only business of said corporation is the operation of the Laurel Race Track; that George A. Garrett upon whom the summons and complaint was served in this cause on April 11, 1955, at 719 Fifteenth Street, Northwest, Washington, D. C., is only a director of said corporation; that Mr. Garrett is not an employee or officer of said corporation; that Mr. Garrett is not a managing or general agent of said corporation and that Mr. Garrett is not an agent of said corporation authorized

by appointment or by law to receive and accept service of process on behalf of said corporation.

/s/ FRANK J. BRADY
Frank J. Brady

Subscribed and sworn to before me this 27 day of April, 1955.

/s/ A. LESTER BATIE
Notary Public in and for the State of Maryland

(NOTARIAL SEAL)